

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRENDA J. CONTINE,

Plaintiff,

v.

STATE OF WASHINGTON
DEPARTMENT OF
CORRECTIONS,

Defendant.

CASE NO. C24-1687JLR

ORDER

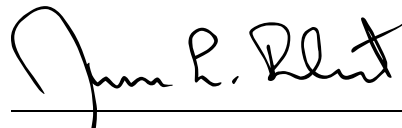
Before the court is *pro se* Plaintiff Brenda J. Contine's motion for reconsideration of the court's March 19, 2025 order granting Defendant the State of Washington Department of Corrections's ("DOC") motion to dismiss. (MFR (Dkt. # 27); *see* 3/19/25 Order (Dkt. # 25); Judgment (Dkt. # 26).) The court DENIES the motion.¹

¹ DOC filed a response to Ms. Contine's motion for reconsideration. (MFR Resp. (Dkt. # 28).) However, "[n]o response to a motion for reconsideration shall be filed unless requested by the court." Local Rules W.D. Wash. LCR 7(h)(3). Therefore, the court STRIKES and does not consider DOC's response.

1 A motion for reconsideration is an “extraordinary remedy . . . to be used
2 sparingly[.]” *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000)
3 (citation omitted). “Motions for reconsideration are disfavored” and “[t]he court will
4 ordinarily deny such motions in the absence of a showing of manifest error in the prior
5 ruling or a showing of new facts or legal authority which could not have been brought to
6 its attention earlier with reasonable diligence.” Local Rules W.D. Wash. LCR 7(h)(1).
7 In this District, motions for reconsideration “shall be filed within fourteen days after the
8 order to which it relates is filed.” *Id.* LCR 7(h)(2).

9 Although the court issued its order and judgment on March 19, 2025, Ms. Contine
10 did not file her motion for reconsideration until April 14, 2025—twelve days after the
11 April 2, 2025 deadline. *Id.*; (see Dkt.). The court denies the motion on this basis alone.
12 See, e.g., *Muñoz v. United States*, 28 F.4th 973, 978 (9th Cir. 2022) (“[I]t is axiomatic
13 that pro se litigants, whatever their ability level, are subject to the same procedural
14 requirements as other litigants.” (internal citations omitted)). Even if the motion were
15 timely, the court would nevertheless deny it because Ms. Contine has shown neither
16 manifest error in the court’s prior ruling nor new facts or legal authority which she could
17 not have brought to the court’s attention with reasonable diligence. (*See generally* MFR.)
18 Accordingly, the court DENIES Ms. Contine’s motion for reconsideration (Dkt. # 27).

19 Dated this 25th day of April, 2025.

20 

21 JAMES L. ROBART
22 United States District Judge